



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE: PD-1

August 26, 2009

TO: Each Supervisor

FROM: Gail Farber
Director of Public Works

ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY BOARD MEETING-JULY 27, 2009

On July 27, 2009, my staff attended the regular Board meeting of the Alameda Corridor-East (ACE) Construction Authority. A copy of the July 27, 2009, agenda and adopted minutes of the June 22, 2009, regular Board meeting are attached. The following items were discussed at the meeting, which are of interest to the County of Los Angeles.

Agenda Item VI – The Chief Executive Officer reported that ACE participated in a meeting on July 3, 2009, with United States Department of Transportation Secretary Ray LaHood and Congresswoman Grace Napolitano, and the Congresswoman advocated for federal funding support for the ACE projects.

Agenda Item VII – The Board approved staff's recommendation to accept the design contracts with URS Corporation Americas, Inc., for the East End Avenue and Reservoir Street Grade Separation projects as satisfactorily completed with final contract amounts of \$2,649,589 for the East End Avenue Grade Separation project and \$2,765,315 for the Reservoir Street grade separation project.

Agenda Item VIII – The Board approved staff's recommendation to authorize the Chief Executive Officer to amend the contract with AECOM USA, Inc., to provide additional design services for the Baldwin Avenue Grade Separation project in the amount of \$735,000, for a new contract amount of \$3,000,669.

Each Supervisor
August 26, 2009
Page 2

Agenda Item IX – The Board approved staff's recommendation to substitute the proposed construction detour route from Otterbein Avenue to an alternative route using a currently vacant property, Railroad Street, and Charlie Road. The Board also approved the inventory of property rights and relocation activities necessary for construction of the Nogales Street Grade Separation project, with property acquisition to commence once the proposed Mitigated Negative Declaration is approved by Caltrans.

Agenda Item X – Staff reported that the current plan of improvements, which consist of various grade separation projects in the San Gabriel Valley, has been revised from \$570.4 million to \$1,108.4 million due primarily to the addition of the right of way and construction costs for the San Gabriel Trench and the Nogales Street (Los Angeles Subdivision) Grade Separation projects.

The August Board meeting was held on August 24, 2009, at 2 p.m., at the Irwindale City Hall Chambers.

HF:pr

C100142

P:\pdpub\Federal\ACE-ALAMEDA CORRIDOR EAST\BOARD MEETINGS\ACE Board meeting 07-27-09.doc

Attach.

cc: Chief Executive Office (William T Fujioka, Lari Sheehan)
Executive Office



**ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY
BOARD OF DIRECTORS
REGULAR MEETING AGENDA
Monday, July 27, 2009 – 2:00 P.M.
Irwindale City Hall
5050 Irwindale Avenue
Irwindale, CA 91706**

Members of the public may comment on any item on the agenda at the time it is taken up by the Board. We ask that members of the public come forward to be recognized by the Chair and keep their remarks brief. If several persons wish to address the Board on a single item, the Chair may impose a three-minute time limit on individual remarks at the beginning of the discussion.

- I. Roll Call and Introductions
- II. Pledge of Allegiance
- III. Approval of Minutes of June 22, 2009 Regular Board Meeting (Pages 1-5) Action
- IV. Public Comment
- V. Chairman's Remarks
- VI. Chief Executive Officer's Report (Pages 6-12) Information
- VII. Approval of Acceptance of Final Design Contracts for East End Ave and Reservoir Street Grade Separation Projects (Pages 13-14) Action
- VIII. Approval of Amendment to Design Services Contract for Baldwin Avenue Grade Separation with AECOM USA, Inc. (Pages 15-16) Action
- IX. Approval of Modified Construction Detour Plan and Property Acquisitions for the Nogales Street (L.A. Sub) Grade Separation Project (Pages 17-20) Action
- X. Review of Quarterly Project Progress Reports (Pages 21-35) Information
- XI. Review of Quarterly Financial Reports (Pages 36-41) Information
- XII. Closed Session: The Board will adjourn to closed session in accordance with Government Code Section 54956.9(a) – Conference with Legal Counsel – Existing Litigation. Huang v ACE. LA Superior Court Case No. BC402512 Possible Action

The ACE Construction Authority is constituted of seven (7) member jurisdiction; the Cities of El Monte, Industry, Montebello, San Gabriel and Pomona, the County of Los Angeles and the San Gabriel Valley Council of Governments. A San Bernardino County Council of Governments representative is an ex-officio Board member. Each member or alternate has one vote. A quorum of the ACE Construction Authority is no less than four (4) of its total voting membership. Actions taken by the ACE Construction Authority shall be by simple majority of the members present with a quorum in attendance except for personnel actions, the annual budget, matters dealing with the Administrative Code or matters requiring subsequent approval by the SGVCOG, all of which shall require five (5) votes. All disclosable public records related to this meeting are available for viewing at the ACE office above during normal working hours.

And in accordance with Government Code Section 54957 to discuss the
Performance Evaluation of the Chief Executive Officer

Possible
Action
Action

XIII. Adjournment



Alameda Corridor-East Construction Authority

4900 Rivergrade Rd. Ste. A120 Irwindale, CA 91706 (626) 962-9292 fax (626) 962-3552 www.theaceproject.org

Alameda Corridor-East Construction Authority Board of Directors Meeting June 22, 2009 Minutes

Chairman Spohn called the meeting of the Board of Directors of the Alameda Corridor-East Construction Authority to order at 2:04PM.

1. In attendance were:

Tim Spohn
David Spence
Patricia Wallach
Rosemarie Vasquez
Gloria Molina

Staff

Rick Richmond, Chief Executive Officer
Joe Silvey, Legal Counsel
Deanna Stanley Cynthia Ambrose
Charles Tsang Carlos Monroy
Victoria Butler Menchu Ituralde
Lou Cluster Regina Talamantez

Guests

Gary Neely, Senator Bob Huff's office
Bruce Russell, Jacobs Engineering
Roosevelt Joshua, Safety Environmental Consulting
Al Contreras, SCE
Hank Alonzo, Jacobs Engineering

2. **Pledge of Allegiance** –Vice Chair Rosemarie Vasquez led the pledge of allegiance.
3. **Approval of Minutes of May 11, 2009** – A motion was made to approve the minutes of May 11, 2009. Spence/Vasquez/Unanimous.
4. **Public Comments** –There were no public comments.
5. **Chairman's Report** – Chairman Spohn congratulated Rick Richmond for receiving the ACEC's Engineering Achievement Award at their annual banquet. Chairman Spohn reminded the Board that the performance review of Rick Richmond will be discussed at the July 27 Board meeting. He also advised the Board that the next scheduled Finance Committee meeting would be

Wednesday, July 22nd at 11AM.

6. **CEO's Report** – Mr. Richmond reported he was invited by Congress members Napolitano and Schiff to meet with Chairman Oberstar, Transportation and Infrastructure Committee. Mr. Richmond indicated it was quite a unique opportunity that the Chairman would entertain a meeting during such a busy time in the midst of the surface transportation authorization bill. He was able to brief the Chairman on the status of the Project. He indicated both members of Congress continue to be valuable supporters of the ACE Project.

Mr. Richmond also reviewed the contract tasks orders authorized for demolition services for the Baldwin Avenue grade separation project.

Mr. Charles Tsang reviewed construction progress photos of the Temple Avenue project. Ms. Victoria Butler reviewed construction progress photos of the Sunset Avenue grade separation project.

7. **Approval to Solicit Property Acquisition and Relocation Services** – Mr. Richmond reminded the Board that the contracts for property acquisition and relocation services were competitively bid at the beginning of the project and the term was for the life of the project. However in the spirit of providing opportunities for other contractors along with the upcoming increase in property acquisition activity staff sees it necessary bringing on board an additional contractor(s). The new firm would be assigned the Nogales Street project and after 2-3 years staff will assess the demand and assignments.

A motion was made to approve staff to solicit proposals for property acquisition and relocation services to supplement existing resources.

M/S/C/Vasquez/Wallach /Unanimous

8. **Approval of Eminent Domain Legal Services Assignment to Demetriou, Del Guercio, Springer & Francis** – Mr. Richmond reminded the Board at the last meeting the Board awarded two legal services contracts including eminent domain. Prior to that action, the firm Demetriou, Del Guercio, Springer & Francis was assigned a case (Jast) which remains unresolved and is part of the Phase I program. He indicated the firm was a sub under the Burke, Williams & Sorensen contract. The Jast matter relates to property at Baldwin Avenue and staff requires services to resolve another (Altech) matter related to an easement for the Temple project. He indicated staff recommended maintaining Demetriou, Del Guercio, Springer and Francis to complete these final assignments and re-assigning this contract from BWS to ACE.

A motion was made to (1) assign the Temple Avenue assignment (Altech) and (2) add \$70,000 to complete (Jast) existing assignment for a total contract value

of \$873,000 and (2) re-assign the contract from Burke, Williams & Sorensen to ACE. M/S/C/Vasquez/Spence/Unanimous

9. **Approval of Ongoing Support Services and Task Orders** - Mr. Richmond reminded the Board that support services tasks and budgets are approved annually and several contractors were previously held under the program management contract. He reviewed each contractor, their task and contract amendment as outlined on the agenda.

A motion was made to amend or issue annual task orders for the following contracts for continuing support services for fiscal year 2010:

- Prince Global Solutions for \$206,000
- Capital Representation Group for \$55,000
- Padilla & Associates for \$241,579
- First Southwest for \$15,000
- BICEP for \$65,000
- CLMC Inc. for \$72,000
- Paragon Partners for \$1,800,487
- Del Richardson & Associates for \$54,300
- J L Patterson & Associates for \$70,629
- Wagner Engineering & Survey for \$89,700
- Terry A Hayes Associates for \$480,732
- MWH Americas Inc. for \$155,758
- Lang/Pan/Chan Public Relations for \$75,081
- Lee Andrews Group for \$680,333

M/S/C/Wallach/Vasquez/Unanimous

10. **Approval of Suspension of Intelligent Rail Roadway Interface System Project** – Mr. Richmond reviewed the overall concept of the IRRIS project. He indicated Pomona was the chosen test site because of the grid layout of the downtown area. He reviewed the three elements of the project: (1) traffic subsystem which included new software, new signal equipment, vehicle detectors, changeable message signs within a 112-square block area and railroad subsystem; (2) train detection and communications systems and (3) traffic control center which receives train detection data and controls traffic subsystem. He reviewed the chronology of the program indicating the pilot installation was done at three locations in 2003 which were successful. However upon full installation in 2005/06 the system was unable to perform according to specifications. In 2007 the system was re-evaluated and Mr. Richmond indicated due to remaining uncertainties including costs and prospects for long term success he was recommending suspension of the project. The Board raised

questions regarding the total cost of the project. Mr. Richmond reported the traffic signals and signs which are functioning and a benefit to the City of Pomona, were \$3.5 million, and the balance of \$2.9 million was for train detection and communications. He indicated there may be some interest in the equipment such as message signs. Ms. Molina asked which firm was the engineer of the pilot program, if it was proven technology and what assurances did ACE have for its success. Mr. Richmond replied, Korve Engineering marketed this concept and to his knowledge the technology has yet to be proven successful. He indicated federal mandate has initiated a positive train control system being developed which would monitor train location and speed using GPS technology which could potentially revive this system at some point in the future.

A motion was made to suspend the development of the IRRIS, transfer the traffic control components to the City of Pomona, and monitor future train control technology to consider its usefulness in achieving the original objectives of the IRRIS Program.

M/S/C/Spence/Molina/Unanimous

11. **Approval of Brea Canyon Road Construction Contract Close out**– Mr. Richmond reviewed the close out information for the Brea Canyon Road grade separation project. He indicated the construction contractor was Griffith Company. Construction began in July 2006 and the street opened in October 2008. He reported there were 1459 jobs created with a DBE goal of 11% and achieved 11.35%. He reported the original contract value was \$39,985,807 and the final contract value experienced a 9.77% change or final value at \$43,963,512. He reminded the Board that approval would initiate close out procedures which included releasing final retention in the amount of \$2,193,176 to Griffith Company.

A motion was made to (1) Accept the Brea Canyon Road grade separation project as being completed in conformance with the project plans and specifications, with final closeout of the construction contract; (2) Approve the final retention payment of \$2,193,176 to Griffith Company upon completion of statutory period identified in the California Civil Code, if no claims or objectives have been filed, and upon concurrence of the CEO; and (3) authorize the Contracts Manager to release the Labor and Materials Bond and the Faithful Performance Bond upon expiration of the required lien period, if no claims or objections have been filed and upon concurrence of the CEO.

M/S/C/Wallach/Vasquez /Unanimous

12. **Approval of Annual Anticipated DBE Participation Level** – Mr. Richmond reminded the Board that the Authority is required to adopt a DBE participation goal which is established by Caltrans. He reminded the Board that Caltrans has

established a group tasked to provide guidance on analyzing DBE data to help Caltrans identify an appropriate FY 2010 overall goal and the group will consider the race-conscious component of the overall DBE goal. He indicated Caltrans will distribute its final Overall Annual DBE Goal and Methodology for public comment.

A motion was made to adopt the Annual Anticipated DBE Participation Level of 15% for Federal Fiscal Year 2010.

M/S/C/Vasquez/Molina/Unanimous

13. **Review of Professional Services Contract Audit Program** – Mr. Richmond indicated this was an information item. He reviewed the history of the audit program and schedule of remaining audits to be completed. He indicated he was confident the auditors would become current in accordance to the schedule provided.
14. **Review of Candidate ACE Actions for SGVCOG Approval**
Mr. Richmond indicated this item was also for the Board's information and is provided at the request of the Board. He referred to the joint powers agreement in the agenda and indicated its intention was to sufficiently empower the Authority to move the project forward while still not allowing us to amend the scope of the project without the COG's approval. Member Spence requested clarification of the liability of the COG's member cities with regards to the commercial paper. Mr. Silvey acknowledged the COG as an entity was responsible for the commercial paper and Mr. Richmond indicated the commercial paper provided a source of income and that ACE has not obligated any monies to any project for which it has not received adequate funding commitments.
15. **Adjournment** - The meeting was adjourned at 3:32PM